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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,529	12/10/2001	Scott Alan Beckwith	600323-057	1269
73019 IBM Corp. (DRE)(AUS) c/o Dreier LLP 499 Park Avenue New York, NY 10022	7590 10/14/2008		EXAMINER TRUONG, LAN DAI T	
			ART UNIT 2452	PAPER NUMBER
			MAIL DATE 10/14/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/016,529

Applicant(s)

BECKWITH ET AL.

Examiner

LAN-DAI Thi TRUONG

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-36 and 38-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) none is/are allowed.
- 6) ☒ Claim(s) 32-36 and 38-43 is/are rejected.
- 7) ☒ Claim(s) none is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is response to communications: application, filed on 12/10/2001; amendment filed on 06/19/2008. Claims 32-36 and 38-43 are pending; claims 32, 38 and 40 are amended; claims 1-31 and 37 are canceled.

2. Applicant's arguments filed 06/19/2008 have been fully considered, but are moot in view of the new ground(s) of rejection.

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made

Claims 32 and 38-39 are rejected under 35 U.S.C 103(a) as being un-patentable over Grosskopf et al. (U.S. 5,546,574) in view of Scholl (U.S. 5,742,762).

Regarding claim 32:

Grosskopf discloses the invention substantially as claimed, including a global service management system for managing a plurality of service control points (SCPs) in a telecommunications network, the global service management system comprising:

Comment [K1]: I don't see Braddy as the listed reference in Header.

a message receiving means for receiving a message for controlling two or more SCPs of the plurality of SCPs: (a source service control point (SCP) and a target service control point (SCP) receive a request message from a service node in order to parallel update data (e.g. subscriber data) into the source SCP database and the target SCP databases: Grosskopf, abstract, lines 4-10).

the SCP in the telecommunication network: (Grosskopf's SCPs are telecommunication network elements, abstract, lines 1-4).

business object means for processing a message at a time when the message requests system modifications, the time of the message request being at a future date and time; and units of work means for communicating with the message receiving means and with one or more business object means for processing the message at the future date and time: (service control point receives request to update/modify data (e.g. subscribers data) into its database from service node. Moreover, the service control point can be scheduled to update the data (e.g. subscribers data) in future time: Grosskopf, column 4, lines 48-54, 1-11; column 2, lines 45-60).

However, Grosskopf does not explicitly disclose a first translating means for translating at least a portion of the message to a first vendor-specific format.

In analogous art, Scholl discloses the network management gateway has capabilities of parsing and translating received management service requests from the Web client into appropriate protocols or formats for each of destination managed network elements prior forwarding them to appropriate managed network elements, see (Scholl, figure 3; column 6, lines 3-32, lines 57-67; abstract, lines 13-17; column 4, lines 1-64).

and a second translating means for translating at least a portion of the message to a second vendor-specific, wherein the second translating means is different from the first translating means: (as similar to disclosures above, the network management gateway includes a parser and a formatter for parsing and translating the received management service requests into appropriate formats or protocols of destination managed network elements prior forwarding them to desired destination managed network elements: Scholl, column 6, lines 15-24, lines 57-67).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Scholl's ideas of translating the messages into appropriate formats or protocols of destination network elements into Grosskopf's system in order to increase efficiencies and flexibilities for communication system (i.e. ability to support multiple protocols communication system) see (Scholl: column 3, lines 50-67; column 4, lines 1-10).

Regarding claim 38:

In addition to rejection in claim 32, Grosskopf-Scholl further discloses a first network element manager associated with the first SCP; a second network element manager associated with the second SCP; and network element manager means for managing translating the message : (Scholl discloses a manager-of-managers network managing system which including a network management gateway has capabilities of parsing and translating received management service requests from the Web client into appropriate protocols or formats for each of destination managed network elements prior forwarding them to appropriate managed network elements: figure 3; column 6, lines 3-32, lines 57-67; abstract, lines 13-17; column 4, lines 1-64).

translating processed by the business object means into the second vendor-specific format: (Scholl, figure 3; column 6, lines 3-32, lines 57-67; abstract, lines 13-17; column 4, lines 1-64).

Regarding claim 39:

In addition to rejection in claim 38, Grosskopf-Scholl further discloses translating messages from a network element manager to a format of the business objects means: (Scholl, figure 3; column 6, lines 3-32, lines 57-67; abstract, lines 13-17; column 4, lines 1-64).

Claim 33 is rejected under 35 U.S.C 103(a) as being un-patentable over Grosskopf-Scholl in view of Connolly et al. (U.S. 5,657,375).

Regarding claim 33:

Grosskopf-Scholl discloses the invention substantially as disclosed in claim 32, but does not explicitly teach audio response means for receiving messages from a telecommunication services subscriber at a telephone.

In analogous art, Connolly discloses management system for controlling two-ways voice/data/image calling, see (figure 1, abstract).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Connolly's ideas of applying two-way voice/data/image calling into Grosskopf-Scholl's network management system in order to increase flexibilities for Scholl's management system, see (Connolly: column 1, lines 36-67).

Claims 34-36 are rejected under 35 U.S.C 103(a) as being un-patentable over Grosskopf-Scholl in view of Braddy (U.S. 6,141,759).

Regarding claim 34:

Grosskopf-Scholl discloses the invention substantially as disclosed in claim 32, but does not explicitly teach means for receiving messages from an automated provisioning system.

In analogous art, Braddy discloses technique of automatically sending update configuration information, see (column 18, lines 10-15).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Braddy's ideas automatically sending update configuration information into Grosskopf-Scholl's network management system in order to increase efficiencies for network management system (i.e. ability of distribute up-to-date configuration information), see (Braddy: column 18, lines 10-15).

Regarding claim 35:

Grosskopf-Scholl discloses the invention substantially as disclosed in claim 32, but does not explicitly teach means for receiving messages from an internal provisioning computer, the messages being prepared in response to customer question.

In analogous art, Braddy discloses requesting information could be received from local web-server, see (figure 17, item 52).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Braddy's ideas of load balancing between first server and second servers into Grosskopf-Scholl's network management system in order to provide an efficient information distribution system, see (Braddy: column 6, lines 1-9).

Regarding claim 36:

Grosskopf-Scholl discloses the invention substantially as disclosed in claim 32, but does not explicitly teach receiving messages from the Internet.

In Braddy's system, the requesting information could be received from the web-servers through firewall, see (figure 17, item 52: figure 17, items 74, 72).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Braddy's ideas of load balancing between first server and second servers into Grosskopf-Scholl's network management system in order to provide an efficient information distribution system, see (Braddy: column 6, lines 1-9).

Claims 40 and 43 are rejected under 35 U.S.C 103(a) as being un-patentable over Braddy (U.S. 6,141,759) in view of Grosskopf et al. (U.S. 5,546,574) and further in view of Scholl et al. (U.S. 5,742,762).

Regarding claim 40:

Braddy discloses the invention substantially as claimed, including a method, which can be implemented in a computer hardware or software code, comprising:

receiving a request for networking information retrieval at a global service management system; determining if the requested network information is stored at the global service management system; if the requested network information is not stored at the global service management system, determining which other location stores the requested information: (Braddy discloses a network system for distributing, monitoring and managing information requests. The system includes client computers, a first server, and numbers of second servers. In Braddy's system, information requests will be first received by a broker software which included in the

first server. The broker software has capability of determining if requesting information can be received from the first server or one of second servers that has available requesting information: column 6, lines 15-27; 32-40; abstract).

However, Braddy does not explicitly disclose in communication with service control points (SCPs), the SCPs being of two or more vendors; providing a requested network to a network element adaptor.

In analogous art, Grosskopf discloses a source service control point (SCP) and a target service control point receive request message from a service node in order to parallel update data (e.g. subscribers information) into the source SCP database and the target SCP database, see (Buhmann, abstract, lines 4-10).

the SCPs in the telecommunications network: (Grosskopf's SCPs are telecommunication network elements: abstract, lines 1-4).

a message request for performing a requested operation at an indicated future data and time: (service control point receives request to update/modify data (e.g. subscribers data) into its database from service node. Moreover, the service control point can be scheduled to update the data (e.g. subscribers data) in future time: Grosskopf, column 4, lines 48-54, 1-11; column 2, lines 45-60).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Grosskopf's ideas of parallel update data (e.g. subscribers information) into the source SCP database and the target SCP database into Braddy's system in order to provide a reliable, efficient, quickly response communication system with a minimum of management and coordination, see (Grosskopf, column 2, lines 37-41).

However, Braddy- Grosskopf does not explicitly disclose translating the requested network information to a vendor-specific format.

In analogous art, Scholl discloses the network management gateway including the parser and formatter for parsing and translating the management service requests into appropriate formats or protocols of destination management network elements, see (Scholl, column 6, lines 15-24, lines 57-67).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Scholl's ideas of translating the messages into appropriate formats or protocols of destination network elements into Braddy- Grosskopf's system in order to increase efficiencies and flexibilities for communication system (i.e. ability to support multiple protocols communication system) see (Scholl: column 3, lines 50-67; column 4, lines 1-10).

Regarding claim 43:

In addition to rejection in claim 40, Braddy- Grosskopf -Scholl further discloses providing portions of a request message to a translation database; and receiving translated portion from the translation database; (Scholl discloses the network management gateway including the parser and formatter for parsing and translating the management service requests into appropriate formats or protocols of destination management network elements, see (Scholl, column 6, lines 15-24, lines 57-67).

Claim 41 is rejected under 35 U.S.C 103(a) as being un-patentable over Braddy-Grosskopf -Scholl in view of Kramer (U.S. 6,002,767).

Regarding claim 41:

Braddy- Grosskopf-Scholl discloses the invention substantially as disclosed in claim 40, but does not explicitly teach receiving a reply from the SCP which stores the requested network information in response to the message; and reverse translating the reply from the format required by the SCP which stores the requested network information.

In analogous art, Kramer discloses technique of using gateway as intermediary agent which implements messages translating and reversed-translating for communications between network elements, see (column 122, lines 14-17)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Kramer's ideas of applying translating and reversed-translating techniques into Braddy- Grosskopf-Scholl's network management system in order to increase flexibility and security for communication system see (column 121, lines 42-67).

Claim 42 is rejected under 35 U.S.C 103(a) as being un-patentable over Braddy-Grosskopf-Scholl-Kramer in view of Clermont et al. (U.S. 5,828,729).

Regarding claim 42:

Braddy- Grosskopf-Scholl-Kramer discloses the invention substantially as disclosed in claim 41, but does not explicitly teach request reverse translation; and receiving reverse translation.

In analogous art, Clermont discloses ability of reverse translation in SCP, see (column 7, lines 30-40).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Clermont's ideas of reverse translating in SCP into Braddy-

Grosskopf- Scholl- Kramer's network management system in order to save resources and development time by implying Clermont's ideas into Braddy- Grosskopf- Scholl- Kramer's system.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan-Dai Thi Truong whose telephone number is 571-272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

10/10/2008.

/Kenny S Lin/

Primary Examiner, Art Unit 2452